

REMARKS

Claims 1-21 are pending in this application. Claims 1-8 stand rejected. In light of the remarks set forth below, Applicants respectfully submit that each of the pending claims is in immediate condition for allowance.

Claims 1-8 are rejected under 35 U.S.C. § 102(e) over Melchione, et al. (U.S. Patent No. 5,930,764).

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitation of the independent claims not present in the cited reference is

receiving transaction data, ... containing account numbers;

identifying non-issuer account numbers which represent accounts not issued by an issuer; and

matching the identified non-issuer account numbers with account numbers representing accounts issued by the issuer.

The Office Action asserts that these limitations are present in the Melchione reference in the abstract, figures 1-8, column 1 lines 53-62, column 2 lines 20-37, column 7 lines 23-59 and column 14 lines 47-65. Applicants respectfully assert that none of the cited portions disclose receiving transaction data containing account numbers and matching non-issuer account numbers with issuer account numbers. In fact, Melchione is completely silent as to non-issuer accounts and account numbers.

The abstract in Melchione discusses a database having a three tier hierarchy i.e., households, customers, and accounts as well as a central system for opening an account. However, Melchione does not disclose receiving transaction data containing account numbers, identifying non-issuer account numbers, and matching the non-issuer account numbers with account numbers representing issuer accounts. The figures do not disclose this feature either.

The cited portions of columns 1 and 2 discuss the need for a service provider to know its customer and that a database can be used to store information relating to the customers. However, there is no discussion of transaction data containing account numbers, identifying non-issuer account numbers, and matching the non-issuer account numbers with account numbers representing issuer accounts.

Further, column 7 relates to the central customer information system where electronic sales and service is capable of interfacing with the system for

opening a single account that includes a full range of financial components. The central database includes information about all customers and products offered by the financial institution including branch products, bank cards, travel and entertainment cards, student loans, investments, insurance, and mortgage products. However, no mention is made of receiving transaction data containing account numbers, identifying non-issuer account numbers, and matching the non-issuer account numbers with account numbers representing issuer accounts.

Finally, column 14 related to an electronic sales and service support system, capable of interfacing with the system for opening a single account that includes a full range of financial components. However, as mentioned above, there's no discussion of receiving transaction data containing account numbers or any mention of non-issuer accounts.

The Melchione reference fails to disclose identifying non-issuer account numbers. In Melchione, the user may want households having products with certain characteristics or products with other characteristics or customers that do not have accounts of certain types. This does not relate to non-issuer account numbers. This merely refers to specific types of accounts i.e., checking accounts, Visa accounts, MasterCard accounts, and the like. It does not relate to specific non-issuer account numbers which are not issued by an issuer, i.e. the user. Thus, Melchione fails to disclose receiving transaction data containing account numbers and identifying non-issuer account numbers. As such, Melchione fails to disclose Applicants explicitly recited claim. As such, claims 1-8 are allowable over the Melchione reference.

Claims 9-21 are shown to be rejected on the Office Action Summary sheet. However, no rejection to these claims is made in the detailed portion of this Office Action. Applicants therefore assume that the designation on the cover sheet is a typographical error and that claims 9-21 have been allowed and thank the Examiner for the allowance of these claims.

Applicants have responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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Docket No.: J2167.0061/P061

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

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